

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 18-1951

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Theodore Stevie Varner

Petitioner - Appellant

v.

United States of America

Respondent - Appellee

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Appeal from U.S. District Court for the District of Minnesota - Minneapolis  
(0:18-cv-00496-JNE)

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**JUDGMENT**

Before COLLTON, SHEPHERD and ERICKSON, Circuit Judges.

The court has carefully reviewed the original file of the district court, and the application for a certificate of appealability is denied. The appeal is dismissed. The motion for leave to proceed in forma pauperis is denied as moot.

September 04, 2018

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans